IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.321 OF 1984
ALONG WITH
CIVIL APPLICATIION NO.1591 OF 1986
IN
FIRST APPEAL NO.321 OF 1984

Smt. Vimalabai Pandurang Mahajan ....Appellant.

V/s

1. Fida Hussain Alibhai Petiwalla
and Ors. .....Respondents.

None for the appellant.
None for respondents.

CORAM: V.M. KANADE, J.
DATE : 31st July, 2007.

P.C.:

1. This is an appeal of 1984. Though sufficient time was given, none appears for the appellant. Sufficient time was given to the appellant to serve the respondents. No steps have been taken to serve the unserved respondents. It appears that the appellant is not keen in pursuing the matter any further. The suit which was filed by the plaintiff was also dismissed on the ground that it had abetted since the heirs of Respondent No.3 were not brought on record. Consent

terms have been filed between the appellant and Respondent No.2. Hence, the appeal is dismissed for want of prosecution.

2. In view of the dismissal of appeal, civil application No.1591 of 1986 does not survive and the same is disposed of accordingly.

(V.M. KANADE, J.)